

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MARK A. BROWN,  
Plaintiff,  
v.  
B. TUBBS, et al.,  
Defendants.

Case No. 18-CV-06893-LHK

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE  
DISPOSITIVE MOTION**

Re: Dkt. No. 39

Plaintiff, a California state prisoner proceeding *pro se*, filed a civil rights complaint under 42 U.S.C. § 1983. On March 20, 2019, the court directed defendants to file a dispositive motion or notice that such motion is unwarranted. Dkt. No. 5. Defendants M. Douglas, C. Case, and A. Deere waived their right to file a dispositive motion and requested a jury trial. Dkt. No. 38.

Counsel for defendants subsequently moved for an extension of time until August 20, 2019, to file a dispositive motion.<sup>1</sup> Dkt. No. 39. Counsel urges this extension is necessary to properly investigate plaintiff's claims before determining whether to file a dispositive motion. *Id.*

<sup>1</sup> Counsel appears to represent all defendants. Dkt. No. 39. However, in light of the waiver filed by defendants M. Douglas, C. Case, and A. Deere, it appears the extension is requested on behalf of defendants M. Stouffer, G. Abdullah, J. Robertson, B. Tubbs, A. Escobar, C. Hamilton, and B. Chaucer. *Compare* Dkt. No. 38 *with* Dkt. No. 39.

1 Having read and considered the motion for an extension of time, and for good cause  
2 appearing, the motion is **GRANTED**. Therefore, defendants M. Stouffer, G. Abdullah, J.  
3 Robertson, B. Tubbs, A. Escobar, C. Hamilton, and B. Chaucer shall file a dispositive motion **on**  
4 **or before August 20, 2019**. Plaintiff's opposition to the motion shall be filed **no later than**  
5 **twenty-eight (28) days** from the date the motion is filed. Defendants M. Stouffer, G. Abdullah, J.  
6 Robertson, B. Tubbs, A. Escobar, C. Hamilton, and B. Chaucer shall file a reply no later than  
7 **fourteen (14) days** after the opposition is filed.

8 Defendants are advised that no further extension of time to file a dispositive motion shall  
9 be granted.

10 This order terminates docket number 39.

11 **IT IS SO ORDERED.**

12  
13 DATED: 6/27/2019

14 Lucy H. Koh  
15 LUCY H. KOH  
16 UNITED STATES DISTRICT JUDGE  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28